

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

KENNETH PARNELL WILLIAMS	)	
(20963-040),	)	
	)	
Petitioner,	)	
	)	No. 19 C 50267
v.	)	
	)	Judge Sara L. Ellis
C. HUDSON, Warden,	)	
	)	
Respondent.	)	

**ORDER**

Respondent shall answer or otherwise respond to the habeas corpus petition [1] by February 14, 2020. Petitioner shall reply by March 31, 2020. The Clerk is instructed to: (1) terminate C. Hudson, Warden, as Respondent; (2) add Petitioner's present custodian, Chris Rivers, Warden, AUSP Thomson, as Respondent; and (3) alter the case caption to *Williams v. Rivers*.

**STATEMENT**

Petitioner Kenneth Parnell Williams, a federal prisoner at AUSP Thomson, has brought this *pro se* habeas corpus action pursuant to 28 U.S.C. § 2241 challenging the Bureau of Prison's failure to credit him time towards his current federal sentence. Williams argues he should receive credit for time previously served in state custody. Williams has paid the five dollar filing fee. Pending before the Court is the initial review of the habeas corpus petition under Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts.<sup>1</sup>

Rule 4 requires this Court to examine the petition and supporting exhibits and dismiss a petition if it "plainly appears" that Williams is not entitled to relief. If the petition is not dismissed, then the Court orders Respondent to answer or otherwise respond to the petition. Because Williams' allegation cannot be resolved at this initial stage, the Court orders Respondent to answer or otherwise respond to the habeas corpus petition. Respondent may raise any affirmative defense desired.

On the Court's own motion, the Court terminates Respondent C. Hudson and substitutes Williams' present custodian, Chris Rivers, Warden, AUSP Thomson, as Respondent. Fed. R. Civ. P. 25(d); *Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004). The Court instructs the Clerk to alter the case caption to *Williams v. Rivers*.

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<sup>1</sup> Although Williams brings this case under 28 U.S.C. § 2241, the Court applies the Rules Governing Section 2254 Cases in the United States District Courts to the instant action. See Rule 1(b) (allowing application of rules to non § 2254 habeas corpus cases); *Bowers v. U.S. Parole Comm'n*, 760 F.3d 1177, 1183 n.8 (11th Cir. 2014); *Boutwell v. Keating*, 399 F.3d 1203, 1211 n.2 (10th Cir. 2005).

The Court instructs Williams to file all future papers concerning this action with the Clerk of Court in care of the Prisoner Correspondent. Any paper that is sent directly to the Judge or otherwise fails to comply with these instructions may be disregarded by the Court or returned to Williams.

Date: January 14, 2020

/s/ Sara L. Ellis